

Approved by:



DANIEL P. ANTOON
Special Assistant United States Attorney

Before: THE HONORABLE KIM P. BERG
United States Magistrate Judge
Southern District of New York

-----x 7:25-MJ-436 (KPB)
UNITED STATES OF AMERICA : MISDEMEANOR
: COMPLAINT
:
-v- : Violation of
: 18 U.S.C. 641
DENNIS A. NUNEZ : NYSPL 155.25

COUNTY OF OFFENSE:
Defendant ORANGE
:
-----x

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK, ss.:

Sterling Stuckey, being duly sworn, deposes and says
that he is a Court Liaison, assigned to the United States
Military Academy, West Point, New York, and charges as
follows:

COUNT ONE

On or about 9 May 2024, at or near West Point, New
York, in the Southern District of New York, DENNIS A.
NUNEZ, the defendant, unlawfully, knowingly and willfully
removed private property without authorization to wit: the
defendant took a Fluke Scopemeter from Stephen Barbar
without permission.

(New York State Penal Law 155.25)

COUNT TWO

Between on or about 10 April 2024 and 22 April 2024, at or near West Point, New York, in the Southern District of New York, DENNIS A. NUNEZ, the defendant, unlawfully, knowingly and willfully removed government property without authorization to wit: the defendant took kitchen equipment worth more than \$1,000 from the West Point Golf Clubhouse, West Point, New York.

(18 U.S.C. 641)

The bases for the deponent's knowledge and for the foregoing charges are, in part, as follows:

1. I am a Court Liaison, assigned to Provost Marshall Office, at the United States Military Academy, West Point, New York which is located in the Southern District of New York.

2. On 8 May 2024, the Military Police Investigations (MPI) received information regarding the larceny of private property. On 9 May 2024, Investigator Iain Sinclair contacted Stephen Barbar, the owner of the alleged stolen property. The item allegedly stolen was a Fluke Scopemeter 196C (SN: 944402196003 DM8570028). The item was allegedly taken from Egner Hall on 7 May 2024 along with probes, and a charger.

3. MPI investigated the matter and found a Facebook Marketplace listing with an item that matched the serial number. The item and accessories were being sold at Apollo Pawn and Gold in Newburgh, New York. The store manager, Rob Murphy provided the seller's identity as Dennis Nunez. Stephen Barbar provided a Department of Homeland Security Certificate of Registration showing proof of possession and authorized use.

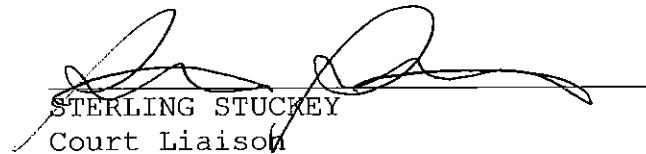
4. On 2 June 2024, the defendant was interviewed by MPI. During the interview, the Defendant denied taking the Fluke Scopemeter. He stated that another worker placed the item in his work van. The Defendant further stated that he sold the item because he knew he had another identical item.

5. On or about 28 August 2024, the Department of the Army Criminal Investigation Division (DACID), West Point, New

York initiated an investigation based off of information provided by MPI that 4 pieces of kitchen equipment, worth more than \$1,000, were taken from the West Point Golf Clubhouse. The items identified are a RoboCoup food processor, a MerryChef Rapid Cook Oven, as well as a meat slicer, and a conveyor belt toaster. DACID contacted a used kitchen equipment store in Lodi, New Jersey. The store owner provided the phone number of the seller. That phone number belonged to Dennis A. Nunez.

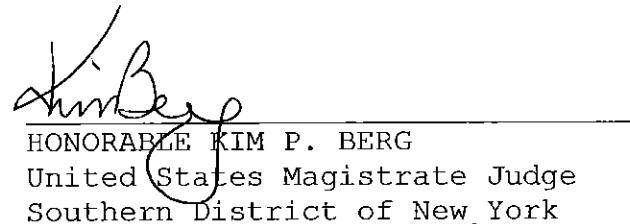
6. Defendant was issued a United States District Court Violation Notice for Theft of Private Property (DCVN Number E1363521/SY10) and released.

WHEREFORE, deponent prays that the above-named defendant be imprisoned or bailed, as the case may be.



STERLING STUCKEY
Court Liaison

Sworn to before me this
7th day of February, 2025



HONORABLE KIM P. BERG
United States Magistrate Judge
Southern District of New York